

1 Amy Samberg, Esq.
 2 Nevada Bar No. 10212
 3 Justin S. Hepworth, Esq.
 4 Nevada Bar No. 10080
 5 Snell & Wilmer L.L.P.
 6 3883 Howard Hughes Parkway, Suite 1100
 7 Las Vegas, NV 89169
 Telephone: (702) 784-5200
 Facsimile: (702) 784-5252
*Attorneys for Liberty Mutual Insurance Group
& LM Insurance Corporation*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 LIBERTY MUTUAL INSURANCE GROUP,

11 Plaintiff,

12 v.

13 PANELIZED STRUCTURES, INC., ET AL.,

14 Defendants.

15 **AND RELATED LITIGATION**

16 CASE NO. 2:10-cv-01951-MMD-PAL

17 Consolidated with:

18 CASE NO. 2:12-cv-00264-MMD-PAL

19 **STIPULATION AND ORDER TO
EXTEND DISCOVERY IN CASE NO.
2:12-cv-00264-MMD-PAL**

20 Pursuant to LR 26-4, Liberty Mutual Insurance Group and LM Insurance Corporation and
 21 Panelized Structures, Inc. (“Panelized Structures”) hereby submit the following Stipulation and
 Order to Extend Discovery in Case No. 2:12-cv-00264-MMD-PAL. The parties request that all
 outstanding discovery deadlines in this matter be extended pursuant to the following schedule.

22 **A. Discovery Completed**

23 The parties have engaged in extensive discovery in the related tort action filed in Nevada
 24 state court (Case No. A517829) and in the consolidated case before this Court (Case No. 2:10-cv-
 25 01951-MMD-PAL) which the parties have agreed may be used in this action (Case No. 2:12-cv-
 26 00264-MMD-PAL). Liberty Mutual Insurance Group and Panelized Structures have also
 27 exchanged initial disclosures in Case No. 2:10-cv-0195-MMD-PAL. Panelized Structures

Snell & Wilmer
L.L.P.
LAW OFFICES
3883 HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702) 784-5200

1 propounded written discovery and noticed Rule 30(b)(6) depositions for the persons most
 2 knowledgeable at Liberty Mutual. Panelized Structures ultimately withdrew its written discovery
 3 after LM Insurance Corporation filed its Emergency Motion for Protective Order in Case No.
 4 2:12-cv-00264 [Dkt. No. 135]. *See* Notice of Withdrawal of Written Discovery [Dkt. No. 153].
 5 The Court entered a protective order on August 31, 2012, “precluding the Rule 30(b)(6)
 6 deposition notices referred to in Docket #154 from going forward while Defendants’ dispositive
 7 motions are pending.” *See* Order [Dkt. No. 156]. The parties have not engaged in any additional
 8 discovery.

9 **B. Discovery Remaining**

10 Depending on how the Court ultimately rules on Liberty Mutual Insurance Group’s
 11 Motion to Substitute LM Insurance Corporation as Plaintiff Real Party in Interest Pursuant to
 12 Rule 17(a) [Dkt. No. 119 in Case No. 2:10-cv-01951] and LM Insurance Corporation’s Motion to
 13 Dismiss [Dkt. No. 24 in Case No. 2:12-cv-00264], the parties may need to engage in additional
 14 discovery.

15 **C. Reasons Why Discovery Not Completed**

16 Discovery has not yet been completed in light of Liberty Mutual Insurance Group’s
 17 Motion to Substitute LM Insurance Corporation as Plaintiff Real Party in Interest Pursuant to
 18 Rule 17(a) [Dkt. No. 119 in Case No. 2:10-cv-01951], LM Insurance Corporation’s Motion to
 19 Dismiss [Dkt. No. 24 in Case No. 2:12-cv-00264] and the protective order [Dkt. No. 156 in Case
 20 No. 2:10-cv-01951].

21 **D. Proposed Schedule for Completion of Discovery**

22 The parties propose that the new discovery deadline be sixty (60) days after the Court has
 23 ruled on LM Insurance Corporation’s Motion to Dismiss [Dkt. No. 24 in Case No. 2:12-cv-
 24 00264] and on Liberty Mutual Insurance Group’s Motion to Substitute LM Insurance Corporation
 25 as Plaintiff Real Party in Interest Pursuant to Rule 17(a) [Dkt. No. 119 in Case No. 2:10-cv-
 26 01951].

27 ///

28 ///

1 WHEREFORE, the parties respectfully request that the Court extend the discovery
2 deadlines as outlined above.

3 DATED: December 4, 2012
4 WAIT LAW FIRM

5
6 By: /s/ Eugene Wait
Eugene J. Wait, Esq.
7 Nevada Bar No. 1794
305 W. Moana Lane, Second Floor
8 Reno, NV 89509
9 *Attorney for Panelized Structures, Inc.*

DATED: December 4, 2012
SNELL & WILMER L.L.P.

By: /s/ Justin Hepworth
Justin Hepworth, Esq.
Nevada Bar No. 10080
3883 Howard Hughes Pkwy Ste 1100
Las Vegas, NV 89169
Attorneys for Liberty Mutual Insurance Group & LM Insurance Corporation

10
11
12 **ORDER**

13 **IT IS SO ORDERED** that the following new deadlines apply:

14 The new discovery deadline shall be sixty (60) days after the Court has ruled on LM
15 Insurance Corporation's Motion to Dismiss [Dkt. No. 24 in Case No. 2:12-cv-00264] and on
16 Liberty Mutual Insurance Group's Motion to Substitute LM Insurance Corporation as Plaintiff
17 Real Party in Interest Pursuant to Rule 17(a) [Dkt. No. 119 in Case No. 2:10-cv-01951].

18 DATED this 13th day of December, 2012.

19
20 
MAGISTRATE JUDGE

21 DATED this 4th day of December, 2012

22 SNELL & WILMER L.L.P.

23 /s/ Justin S. Hepworth
24 Amy M. Samberg, Esq.
Nevada Bar No. 10212
25 Justin S. Hepworth, Esq.
Nevada Bar No. 10080
26 SNELL & WILMER L.L.P.
3883 Howard Hughes Parkway, Suite 1100
27 Las Vegas, Nevada 89169
Attorneys for Liberty Mutual Insurance Group & LM Insurance Corporation